

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Abel Rojas

Docket No. 5:13-MJ-1823-1

Petition for Action on Probation

COMES NOW Debbie W. Starling, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Abel Rojas, who, upon an earlier plea of guilty to Simple Possession of Marijuana, in violation of 21 U.S.C. § 844(a), was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on January 7, 2014, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant relocated to the Southern District of Florida on February 4, 2014, and supervision has been provided by the Fort Lauderdale Office since that time. The supervising officer has reported the following violations: the defendant submitted a urine specimen on February 10, 2014, which proved positive for marijuana. The defendant also tested positive on numerous other occasions (February 18, March 5, and March 19, 2014). He also submitted a dilute specimen which was discarded on March 26, 2014. Rojas failed to show for drug testing as required on April 1 and April 8, 2014. He failed to participate in outpatient substance abuse treatment on March 5, and April 11, 2014. Since that time, the defendant has acknowledged that he could have made better choices, is no longer using marijuana, and has secured gainful employment. In an effort to assist the defendant socially, morally and behaviorally, the Southern District of Florida has recommended that he participate in a Moral Reconciliation Therapy Program as directed by the probation officer. Transfer of jurisdiction has also been requested in an effort to more efficiently address any future violations.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in Moral Reconciliation Therapy as directed by the probation officer. Such program will include participating in group sessions administered by the probation officer.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Debbie W. Starling
Debbie W. Starling
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: May 15, 2014

ORDER OF COURT

Considered and ordered this 15th day of May, 2014, and ordered filed and made a part of the records in the above case.



James E. Gates
U.S. Magistrate Judge